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Attorneys for Defendants

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

NANCY HARDING and JEFFREY HARDING, on Civil Action No. 14-5419(FSH)(JBC)  
behalf of themselves and all others similarly  
situated,

Plaintiff,

vs.

JACOBY & MEYERS, LLP, FINKELSTEIN &  
PARTNERS, LLP, TOTAL TRIAL  
SOLUTIONS, LLC, ANDREW FINKELSTEIN  
and KENNETH OLIVER,

Defendants.

**NOTICE OF MOTION**

To: Joseph Santoli  
LAW OFFICES OF JOSEPH SANTOLI  
340 Devon Court  
Ridgewood, New Jersey 07450

Lee Squitieri  
SQUITIERI & FEARON, LLP  
32 East 57<sup>th</sup> Street, 12<sup>th</sup> Floor  
New York, New York 10022

COUNSEL:

PLEASE TAKE NOTICE that on Monday, November 17, 2014, at 10 a.m. or as soon  
thereafter as counsel may be heard, the undersigned counsel for Defendants shall move before  
Hon. Faith S. Hochberg at the Martin Luther King Federal Building, 50 Walnut Street, Newark,

New Jersey for an Order pursuant to Fed.R.Civ.P. 12(b)(6) dismissing Plaintiffs' Complaint with prejudice.

The undersigned intends to rely upon the annexed Brief and Declaration of James E. Cecchi.

The undersigned hereby requests oral argument.

CARELLA, BYRNE, CECCHI  
OLSTEIN, BRODY & AGNELLO  
Attorneys for Defendants

By: /s/ James E. Cecchi  
JAMES E. CECCHI

Dated: October 23, 2014